

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
COMMERCE, et al.,

Defendants.

CIVIL ACTION NO. 1:18-cv-2921 (JMF)

**SUPPLEMENTAL AFFIDAVIT OF
TODD A. BREITBART**


Pursuant to 28 U.S.C. § 1746(2), I, Todd A. Breitbart, hereby declare as follows:

1. I make this Supplemental Affidavit in connection with *State of New York, et al., v. United States Department of Commerce, et al.*, in order to provide additional support for the testimony set forth in my prior affidavit sworn to on October 26, 2018 (the "First Breitbart Aff."). I am over the age of eighteen and have personal knowledge of all the facts stated herein.

2. In preparing ¶¶ 10 and 12 of the First Breitbart Aff., I relied on data from the American Community Survey 2012-16 five-year estimates. The data I used can be downloaded from the American Factfinder website maintained by the United States Census Bureau at the following link: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> (last visited November 3, 2018).

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Executed on this 3rd day of November, 2018



Todd A. Breitbart